

1909-046 Chancery Causes: W. A. Pace vs. Mary Pace  
Lee Co.

Woods, Wilder

CA-Divorce  
T-Vices  
Migration



Honorable H.A.W.Skeen, Judge of the Circuit Court  
for Lee County, Virginia,

Humbly complaining your orator W.A.Pace would respectfully represent and show unto the court that on or about the \_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, he intermarried with one Mary C.Pace nee Mary C.Woods, and that he lived and cohabited with her as his lawful wife until the \_\_\_\_ day of \_\_\_\_\_, 1907, during all of which time he was to her a loving and indulgent husband; that to his great shame, mortification and humiliation he learned and here alleges that his said wife so far forgetting her duties and obligations as the consort of your orator that she committed adultery at Roseville, Va. on the \_\_\_\_ day of July, 1907, without the consent, connivance or procurement of your orator, and that your orator has not cohabited with her since he learned of her adultery. Your orator further alleges that his said wife is now living in adultery in the state of Kentucky; that he is now and has been for the last twelve months a citizen of Lee County, Virginia. R

Being remediless therefore save in a court of equity the prayer of your orator is that the said Mary C.Pace be made a party defendant to this bill, that she be required to answer the same but not on oath, that being waived, the proper process issued and upon a final hearing a divorce be granted your orator a vinculo matrimonii from the said Mary C.Pace. And that all such other further and general relief be granted your orator as in the premises may be right and he will ever pray, etc.

Charles C. Bales  
J. C. none (P.Q.)



W. A. Pace  
v. { Bill  
Mary C. Pace.

Filed June 22, 1908

Costs:  
Clerk \$5.15  
Tax 1.50  
Atty. 15.00  
Printer 3.50  
Comm. .75  
\$25.90

with one Mary C. Pace nee Mary C. Woods, and that he lived and  
spent the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, he informed  
respectfully represent and show unto the court that on or  
Humbly complaining your orator W. A. Pace would res-  
ter Lee County, Virginia.

Honorable H. A. W. Skeen, Judge of the Circuit Court



W. A. Pace. Comp.

<sup>vs</sup>  
Mary C. Pace, Deft.

This Cause came on this day to be heard upon the Complainant's bill, the depositions of witnesses, order of publication against non resident defendant, duly posted, published and certified, as required by law. And was argued by Counsel. On consideration of all which, it is adjudged ordered and decreed, that the bonds of matrimony heretofore contracted and up to this time existing between the complainant and defendant; be and the same are hereby annulled and dissolved, and the said parties declared to be sole and single, it appearing to the Court from the deposition of witnesses that, independent of the failure of the defendant to answer or demur to the Complainant's bill, that the plaintiff is entitled to a divorce a vinculo Matrimonii. It <sup>is</sup> further adjudged, ordered and decreed that the plaintiff recover his costs, and this Cause is ~~dismissed~~ stricken from the docket.



W.A. Pace.  
no { in Chan.

Mary C. Pace.

Diene Final.

Entered in C.O.B.  
# 8, page 447.

Entered  
H.C. W. Stone

2-9-1909



The depositions of Arthur Pace and Henry Wilder taken before me, W.K. Hopkins, Commissioner in Chancery for the Circuit Court of Lee County, Virginia, pursuant to the notice hereto annexed, (the Plaintiff having proceeded by order of publication in this case) at the office of Bales and Noel in the town of Pennington Gap, Virginia, on the 31st, day of July, ~~1908~~ 1908, between the hours of 8 O'clock A.M. and 6 O'clock P.M. to be read in evidence in behalf of the plaintiff in a certain suit depending in a certain suit in the circuit court of Lee County, wherein W.A. Pace is plaintiff and Mary C. Pace is defendant.

Present: Charles C. Bales Attorney for Plaintiff.

Arthur Pace, a witness of lawful age who first being duly sworn deposes and says:

Q. 1. State your age, residence and occupation?

A. I am 18 years old. My residence is Rose Hill, Virginia and I am a farmer.

Q. 2. Are you acquainted with W.A. Pace and wife Mary C. Pace?

A. Yes.

Q. 3. At any time within the last five years have you known the said Mary C. Pace, to have sexual intercourse with any man except her husband. If so, when and where?

A. No, sir. I do not.

Q. 4. What is the general reputation of the said Mary C. Pace, for chastity and virtue in the neighborhood in which she lives?

A. It is bad.

Q. 5. State, if you know, where the said Mary C. Pace is now?

A. ~~xxxxxxx~~ She is making her home in Kentucky.

And further the deponent sayth not.

Arthur Pace

Henry Wilder, another witness, of lawful age, who, being duly sworn deposes and says:

Q. 1. State your residence, age and occupation?

A. Residence, Rose Hill, Va., Age, about 32, occupation, a farmer.

Q. 2. Are you acquainted with W. A. Pace, and Mary C. Pace, his wife?



A. Yes.

Q. 3. How long have you known them?

A. Several years.

Q. 4. How long has W. A. Pace been a citizen of this State?

A. Ever since I can remember.

Q. 5. At any time within the last five years, have you known the said March C. Pace to have sexual intercourse with any man except her husband. If so when and where?

A. <sup>Yes.</sup> About July, 1907, in Lee County, Virginia, near Rose Hill.

Q. 6. State, if you know, where the said Mary C. Pace is now?

A. She has been making her home in Kentucky.

Q. 7. What is the general reputation of the said March C. Pace, for chastity and virtue in the neighborhood in which she lives?

A. Bad.

Q. And further the deponent sayth not.

*Henry Wilder*  
-----  
deponent

STATE OF VIRGINIA

Lee County to-wit:

I, W.K.Hopkins, a commissioner in Chancery for the Circuit Court of Lee County, do hereby certify that the foregoing Depositions of Arthur Pace and Henry Wilder were duly taken, sworn to and subscribed before me at the place and time mentioned therein and in the caption thereto, pursuant to the annexed notice.

Given under my hand, this the ~~31~~ 31st. day of July, 1908.

*W.K.Hopkins*  
-----Commissioner.

COSTS:

Arthur Pace,-----

Henry Wilder,-----

W.K.Hopkins, \$0.75.

*Order Paid*      *3 00*



W.A.Pace,

)( In Chancery.

Mary C.Pace,

Virginia, Lee County, to-wit:

I, W. A. Pace, do solemnly swear that Mary C. Pace, the defendant in the above styled cause, pending in the Circuit Court of Lee County, Virginia, is not a resident of this state.

Given under my hand this the 20 day of June, 1908.

W A Pace

~~XXXXXXXXXXXXXXXXXXXX~~

Subscribed and sworn to before me in my county aforesaid by W. A. Pace, this the 20 day of June, 1908.

Charles Baus

J.P.

(My commission expires March 9th, 1910.)



W.A. Pace  
v. } aff. for  
O.P.

Mary C. Pace.

Filed June 22, 1908  
H.C. Ewing,  
Clerk.

March 3rd, 1910.)  
(by commission expires)

Subscribed by W. A. Pace, Clerk of the Court of Lee County, Virginia, and sworn to before me in my County of Lee, Virginia, this 22nd day of June, 1908.

Given under my hand this 22nd day of June, 1908.

Notary Public for the County of Lee, Virginia, is not a resident of the defendant in the above styled cause, pending in

Lee County, Virginia, and solemnly swears that Mary C.

Mary C. Pace, is not a resident of Lee County, Virginia.

Mary C. Pace,

)( in Open Court.

W.A. Pace,



In the Clerk's Office of the Circuit Court of the county of Lee, on the 22<sup>nd</sup>  
 day of June, 1908,

W. A. Pace,

Plaintiff

against

Mary C. Pace,

Defendant

In Chancery.

The object of this suit is to obtain a divorce a vinculo matri-  
monii.

And an affidavit having been made and filed that the defendant, Mary C. Pace, is

not <sup>a</sup> resident of the State of Virginia, it is ordered that he do appear here within fifteen days  
 after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is  
 further ordered that a copy hereof be published once a week for four weeks in the The Pennington  
News and that a copy be posted at the front door of the Courthouse of this county as prescribed

by law.

A copy—Teste:

C. C. Bales & J. C. Noel, p. q.

H. C. Ewing, Clerk.  
By M. M. Hardy, D.C.



W. A. Pace

vs.

}

ORDER OF  
PUBLICATION

Mary C. Pace

Virginia, Lee County, to-wit:

I, H. C. Ewing, Clerk  
of the Circuit Court for  
and in the County & State  
aforesaid, do certify that  
I posted a true copy  
of the within order of  
publication at the front  
door of the Court-house  
of said County on this  
day.

Given under my hand  
on this June 23, 1908.

H. C. Ewing,  
Clerk.



**The Commonwealth of Virginia,**

**To the Sheriff of the County of Lee, Greeting:**

WE COMMAND YOU, That you summon

*Mary C. Pace*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on  
the *3rd* Monday in *July*, 190*8*, to answer a bill in chancery exhibited against *her*

*by W. A. Pace*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *22nd*

day of *June*, 190*8*, and 1*32* year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk

\_\_\_\_\_, Clerk



W.A. Pace

VS

}

SUBPENA  
IN  
CHANCERY

Mary C. Pace

C.C. Bales x

J.C. Noel. p. q.

To

2<sup>nd</sup> Feely

Rules

Circuit

Court

1908



**ORDER OF PUBLICATION.**

In the Clerk's Office of the Circuit Court of the county of Lee, on the 22nd Day of June, 1908.

W. A. Pace )  
vs. ) In Chancery.  
Mary Pace, )

The object of this suit is to obtain a divorce a vinculo matrimonii. And an affidavit having been made and filed that the defendant, Mary C. Pace, is not a resident of the state of Va., it is ordered that She do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in The Pennington News and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy --Test

C. C. Bales & J. C. Noel, p. q.

H. C. T. Ewing, Clerk.

By. M. E. Flanary, D. C.

W. A. Pace )  
vs. ) Divorce.  
Mary C. Pace

This is to certify that the order of publication hereto attached of W. A. Pace vs. Mary C. Pace was published four successive weeks in the Pennington News, a news paper published in Pennington Gap, Lee County, Va., beginning on the 26, day of June and ending on the 17th. of July, 1908.

Given under my hand on this the 20th. day of July, 1908.

*W. L. Hopkins, Editor.*



W. A. Pace  
vs } Order of Pub.  
May 6, 1908

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Filed August 4, 1908.

H. C. D. Ewing,  
Clerk.